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# **NASA Procedural Requirements**

**NPR 3317.1A**  
Effective Date: March 13, 2007  
Expiration Date: March 13, 2012

**COMPLIANCE IS MANDATORY**

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## **Senior Executive Service Career Appointee Merit Staffing in NASA**

**Responsible Office: Office of Human Capital Management**

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# Change History

NPR 3317.1, Senior Executive Service Career Appointee Merit Staffing in NASA		
1	03/29/04	Deletions made as a result of ADI/Jennings' memo dated 12/05/03. Administrative changes made throughout to correct responsible office codes, names, and to change NPG to NPR.
2		Changes made to conform to new governance structure and add information on new limited appointment authority.

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# Preface

## P.1 Purpose

This NPR establishes, in accordance with applicable laws and regulations, the responsibilities, procedures, and guidelines for filling Senior Executive Service (SES) positions.

## P.2 Applicability

This NPR applies to NASA Headquarters and NASA Centers, including Component Facilities. In consonance with the Inspector General Act of 1978, as amended (5 U.S.C. App. S 2), and the Chief Financial Officers Act of 1990 (31 U.S.C. S 901 et seq.), nothing herein shall be construed as limiting the Inspector General's or the Chief Financial Officer's authority regarding members of the SES or SES positions within those organizations.

## P.3 Authority

- a. 5 U.S.C. S 3132(b), The Senior Executive Service; Definitions and Exclusions.
- b. 5 U.S.C. S 3392(a), General Appointment Provisions.
- c. 5 U.S.C. SS 3393(a) - (e), Career Appointments.
- d. 5 U.S.C. S 9813, Limited Appointments to Senior Executive Service Positions.
- e. 5 C.F.R. S 317, Employment in the Senior Executive Service.
- f. 5 C.F.R. S 214.401, Types of Positions.
- g. NASA Form 1669, Executive Personnel Action Document.

## P.4 References

- a. NPD 3000.1, Management of Human Resources.
- b. NPR 3100.1, Management of the Senior Executive Service.

## P.5 Cancellation

NPR 3317.1, dated May 8, 1999.

/S/

Charles H. Scales  
Associate Administrator for

## Institutions and Management

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# Chapter 1. Legal and Regulatory Background

## 1.1 Career Appointments

Career appointees must meet the qualifications of the position to which assigned as determined in writing by the Agency. Initial appointment to the career SES must be processed in accordance with the merit staffing process in this NPR. Consistent with regulations issued by the Office of Personnel Management (OPM) and applicable provisions of law, the NASA Executive Resources Board (ERB), through Executive Resource Panels (ERPs), conducts the NASA SES career appointment merit staffing process. Career appointments may be made to SES Career Reserved or General positions.

## 1.2 Noncareer Appointments

Noncareer appointees must meet the qualifications of the position to which assigned, as determined in writing by the Agency, and may serve only in SES General positions. Appointments must be approved by OPM and the White House. The competitive procedures in this NPR, however, do not apply.

## 1.3 Limited Term and Limited Emergency Appointments

Under the NASA Flexibility Act of 2004, codified at 5 U.S.C. S 9813, the Administrator may approve limited term SES appointments to Career Reserved or General positions, without competition, to meet a legitimate temporary need. OPM approval is not required. Such appointees are eligible for SES bonuses under 5 U.S.C. S 5384. Limited emergency appointments are not covered by NASA authority and require OPM approval.

## 1.4 SES Position Designations

SES positions are either Career Reserved or General. A position is designated Career Reserved if it must be filled by a career appointee to ensure the impartiality, or the public's confidence in the impartiality, of the Government. Positions not designated Career Reserved are General positions. Determinations are made following the criteria in 5 C.F.R. S 214.402. A General position may be filled by a career or noncareer appointee. The same General position may be filled by a career appointee at one time and a noncareer appointee at another time. However, a Career Reserved position may be filled only by a career SES appointee or a limited term appointee under 5 U.S.C. S 9813.

## 1.5 NASA Policy

It is NASA policy to recruit and select the best qualified executives from the widest practical

recruitment sources for SES career appointments including appropriate sources for minority and female candidates and candidates with disabilities. The extent of the recruitment area beyond the required minimum area will depend upon the individual position in question and the potential sources of candidates for the position.

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# Chapter 2. Responsibility

## 2.1 Executive Resources Board

The NASA Executive Resources Board (ERB) is a board required by law to conduct the SES merit staffing process. The ERB also functions as an advisor to the Administrator on executive personnel planning, utilization of executive resources, and executive development, including competitive recruitment and selection, SES appointments, performance appraisal and recognition, equal opportunity and diversity, and compensation. The Assistant Administrator for Human Capital Management serves as the Chair. Members are appointed by the Administrator or designee.

## 2.2 Executive Position Managers

NASA Executive Position Managers (EPMs) are Center Directors, Associate/Assistant Administrators, and other Officials-in-Charge of Headquarters Offices. They manage Executive Resources Panels (ERPs) for positions within their respective organizations, recommend selections for SES positions within their organizations, and implement NASA policies.

## 2.3 Mission Directors, Functional Managers, and Program Managers

Mission and Mission Support Associate/Assistant Administrators and Level One Program Managers (e.g., Space Shuttle, Space Station, Constellation) with oversight of programs or functions at NASA Centers concur with selections and other personnel actions in their respective areas of responsibility recommended by EPMs at the Centers.

## 2.4 Executive Resources Panel

A NASA ERP consists of three or more members appointed by the EPM to identify candidates for SES candidate development programs and to identify qualified candidates for vacant SES career positions when recruitment outside the SES is undertaken. The ERP also may be used to identify candidates currently in the SES. The ERP may be appointed to serve a fixed term or may be appointed to assist the EPM in connection with a specific recruitment. A majority of the ERP must be career employees in the SES. ERP members from outside NASA are permitted to serve on the ERP.

2.4.1 Under the direction of the EPM, ERPs are responsible for the following:

2.4.1.1 Establishing position qualification standards.

2.4.1.2 Developing SES vacancy announcements (the five Executive Core Qualifications are incorporated into the announcement as the managerial qualification requirement).



2.4.1.3 Recruiting SES candidates from a wide range of sources, including those with potential for providing minority and female candidates and candidates with disabilities.

2.4.1.4 Establishing local selection procedures consistent with laws and regulations and this NPR.

2.4.1.5 Discussing possible conflict of interest issues with SES candidates.

2.4.1.6 Recommending highly qualified candidates to the EPM for consideration.

2.4.1.7 Investigating, recommending, or taking actions necessary to satisfy inquiries concerning SES staffing issues.

2.4.1.8 Documenting merit staffing actions.

## **2.5 Workforce Management and Development Division (WMDD), Office of Human Capital Management**

The WMDD staffs recommended selections for SES appointment to the Administrator and OPM for approval and provides advice and assistance to Center Human Resources Offices, EPMs, ERPs, the Administrator, and other senior managers throughout the process.

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## Chapter 3. Qualification Standards and Requirements

3.1 Qualification standards will be developed by the ERP at the time recruitment for a vacant position is initiated or an existing position, whether encumbered or not, is altered substantially. The standards are developed by or with the supervisor or other management officials, as appropriate, with sufficient specificity that qualitative distinctions among candidates are possible.

3.2 Standards must be based on essential job elements that include the following:

- a. The basic duties and responsibilities of the position.
- b. The executive and technical knowledge, skills, and abilities required to perform those duties and responsibilities.
- c. The factors or criteria that are important in evaluating candidates.

3.3 Each qualification criterion included in the standard must be job related.

3.4 The same procedures for developing standards shall apply to both Career Reserved and General SES positions.

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## Chapter 4. Recruitment Procedures

### 4.1 Recruitment within the Career SES

EPMs may identify viable candidates to fill an SES position from among current and former career SES appointees either within NASA or outside the Agency. Filling the position noncompetitively through reassignment, transfer, or reinstatement requires the same concurrences and approvals as a competitive SES selection.

### 4.2 Recruitment outside the Career SES

4.2.1 The minimum area for recruitment of candidates from outside the career SES is civil service-wide. Public notice shall be made through the posting of a vacancy announcement on OPM's official Internet job site, USAJOBS, for a minimum of 14 calendar days. In identifying candidates for recruitment within the Federal civil service, the ERPs should seek highly qualified candidates from all groups of qualified individuals within the executive, legislative, and judicial branches. Recruitment may not be limited to persons within NASA or to those with competitive status. In addition to qualified employees throughout NASA and other Government agencies, recruitment should include sources of minority and female candidates and candidates with disabilities and may include referrals from NASA managers.

4.2.2 In recruitment searches extended outside the Federal civil service, the ERPs will seek highly qualified candidates from the following sources in addition to those used within the Federal Government: private industry, the academic community, state or local government, and the uniformed services where highly qualified candidates reasonably can be expected to be found.

### 4.3 Recruitment of SES Candidate Development Program Graduates

A graduate of an SES Candidate Development Program (CDP) that was open to applicants at least civil service-wide, and whose Executive Core Qualifications have been certified by an OPM Qualifications Review Board, may be appointed to an SES position without further competition under OPM regulations. Filling the position noncompetitively with a certified CDP graduate requires the same Agency concurrences and approvals as a competitive SES selection.

### 4.4 Applicant Evaluation Procedures

4.4.1 The ERP must evaluate applicants against the qualifications requirements in the vacancy announcement and group the candidates into Highly Qualified, Qualified, and Not Qualified groups. Brief narratives delineating the objective rationale for the panel's determinations will be recorded in the vacancy file.

4.4.2 Current career SES members or former career SES members with reinstatement eligibility will be forwarded by the ERP to the EPM for selection consideration without rating and ranking, provided the ERP determines they meet the minimum technical requirements for the position.

4.4.3 The ERP will provide the EPM with written recommendations and the panel's brief rationale for all Highly Qualified candidates who apply for a vacancy to be filled by a career appointee. Information on candidates not in the Highly Qualified group will be maintained in the vacancy file; however, that information need not be forwarded with the referred candidates, since only Highly Qualified candidates are eligible for further selection consideration.

4.4.4 The EPM shall provide the following for review by NASA management and for OPM approval of executive qualifications (as required by 5 U.S.C. S 3393(c)), normally within 30 work days of the closing date of the vacancy announcement:

4.4.4.1 A NASA Form 1669 describing and justifying the requested action, including the recommended pay.

4.4.4.2 Justification if requesting a recruitment, relocation, or retention incentive and/or a salary increase greater than six percent.

4.4.4.3 The vacancy announcement, the position description, and the ERP report.

4.4.4.4 For selections recommended for initial career SES appointment, a written statement demonstrating the candidate's ability in the five Executive Core Qualifications as defined in the vacancy announcement.

4.4.4.5 The candidate's application, including responses to technical qualifications requirements.

4.4.4.6 Required concurrences as described in Chapter 2 of this NPR.

4.4.4.7 Any other information which may be required by the Administrator, such as a summary of the results of the staffing process followed or the narrative personal endorsement of the recommended candidate as prepared by the EPM or other executive as appropriate.

## **4.5 Merit Staffing Documentation**

4.5.1 The following records shall be maintained for a period of two years after the date of initial career appointment (or the closing date of the vacancy announcement if no selection is made) or until an OPM evaluation, whichever occurs first:

a. The USAJOBS vacancy control number and the vacancy announcement (including the qualification standard).

b. The position description.

c. A list of organizations and addresses to which the vacancy was distributed, if any, and the distribution rationale.

d. Originals of all applications received.

e. The selection procedures (rating plan) applied.

f. The names and organization titles of ERP members.

g. The signed and dated written recommendations of the ERP concerning each candidate (a list of the groupings of all applicants and the supporting rationale or rating sheets).

- h. Any references, concurrences, or qualifications questionnaires or inquiries obtained on applicants.
- i. A record of which candidates were interviewed.
- j. A copy of the NASA Form 1669 and any justifications submitted in support of the selection.
- k. Documentation regarding any complaints or appeals to the ERP and any ERP findings.

4.5.2 To the extent practicable, required documentation will be maintained electronically through NASA's Staffing and Recruitment System (StARS).

4.5.3 The Headquarters Human Resources Management Division will serve as the repository for such records for the EPMs located at NASA Headquarters. For NASA Centers, the Center Human Resources Office should be the repository.

4.5.4 The EPM will retain all versions of a position's qualification standard for the life of the position.

4.5.5 A description of the procedures used by the Center for filling career SES vacancies by merit staffing will be available and open to review by anyone requesting the information. Applicants are also entitled, upon request, to know if they were eligible for the position and if they were referred to the selecting official for consideration for appointment. They may have access to qualifications questionnaires or reports of qualifications inquiries about themselves, except for information that would identify a confidential source.

## **4.6 Program Review and Quality Assurance**

The Workforce Management and Development Division, Office of Human Capital Management, will monitor the operation of the executive resources management system and make recommendations for improvements or corrective actions to the Chair, ERB, and to the Administrator to ensure quality and consistent implementation.

## **4.7 Executive and Schedule C System (ESCS)**

4.7.1 Installation Human Resources Offices will ensure that required data has been entered into the automated ESCS data base at the time proposed selections for initial SES appointments are forwarded for approval.

4.7.2 Installation Human Resources Offices will ensure that the automated ESCS data base is updated whenever a reported data element in the system changes or additional actions occur (including annual performance ratings and pay adjustments).

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## Chapter 5. SES Probationary Period

5.1 NASA selects and retains the highest quality of exceptionally competent and dedicated individuals to be responsible and accountable for the direction and success of Agency programs.

5.2 An employee's initial appointment into the SES as a career appointee becomes final only after the individual successfully completes a one-year probationary period as a career appointee. Actual performance on the job during this period provides an indispensable test in determining whether the employee receives a final career appointment or is removed from the SES. A career appointee who was appointed from a civil service position held under a career or career conditional appointment (or an appointment of equivalent tenure), and who is removed during the one-year probationary period for unacceptable executive performance, shall be entitled to be placed in a civil service position other than an SES position under 5 C.F.R. Part 359, Subpart G.

5.3 NASA ensures that the senior executive has every opportunity to know what is expected, and performance progress reviews may be initiated at any time by the supervising official or the senior executive. At a minimum, one progress review must be conducted no later than mid-term during the probationary period. Progress reviews are used to identify and resolve problems that constitute obstacles to performance beyond the executive's control, revise the performance plan, provide feedback to the executive on the current level of performance, and explore ways to improve performance, as appropriate.

5.4 If it is determined that an SES employee's performance during the one-year probationary period has been acceptable, the EPM shall notify the Center Human Resources office at least 10 days prior to the end of the employee's probationary period.

5.5 If it is determined that the employee's performance is unacceptable, the EPM may remove the employee from the SES after consultation with the Center Human Resources Office, the Assistant Administrator for Human Capital Management, and the Deputy Administrator or Associate Administrator, as appropriate, and after delivering the required advance written notice of removal. A removal for performance need not be based on an official rating of record. The removal must be effective before the last day of the employee's probationary period and must be effective on a workday. When the removed employee is eligible for guaranteed placement under 5 CFR Part 359, Subpart G, the EPM will place the individual in another civil service position.

5.6 Removal during the probationary period also may be based on conduct. If the employee was covered by the provisions of 5 U.S.C. S 7511 immediately prior to appointment to the SES, then the procedures in 5 C.F.R. Part 752 apply to a removal during probationary period for conduct (removal from the civil service). If not covered by 5 U.S.C. S 7511 immediately prior to appointment to the SES, then the procedures in

5 C.F.R. Part 359 and paragraph 5.5 of this NPR apply, including guaranteed placement into another civil service position.